LISTING OF THE CLAIMS

1-59 (Canceled)

60. (Withdrawn from consideration) A process for producing infectious AAV vector preparations, with an AAV vector and a helper virus being introduced into a cell, the AAV vector being replicated and an infectious AAV vector preparation being obtained from the cell and/or the culture supernatant, wherein the AAV vector and the helper virus are introduced into the cell by infection.

61. (New) A replication-defective recombinant herpesvirus (rHV) comprising adeno-associated virus (AAV) *rep* and *cap* genes each operatively linked to a promoter comprised within an expression vector integrated into a non-essential region of the rHV genome, wherein no visible reversion to wild type HV under replication conditions is observed as determined by a plaque assay.

62. (New) The rHV of claim 61 wherein titers obtained under culture conditions are up to 20% of titer of wild-type herpes virus as determined by cell release virus titer.

63. (New) The rHV of claim 61 wherein the expression vector optionally lacks all or part of AAV inverted repeat sequences (ITRs).

64. (New) The rHV of claim 61 wherein the non-essential region of the rHV genome is U_S or U_L.

65. (New) The rHV of claim 61 wherein the rHV lacks UL9 gene.

66. (New) The rHV of claim 61 further comprising a reporter gene in the expression vector.

67. (New) The HV of claim 61 which is selected from the group of Herpesviridae consisting of herpes simplex virus (HSV), cytomegalovirus (CMV), pseudorabies virus (PRV) and Epstein-Barr virus (EBV) and other members of the herpesvirus family.

68. (New) The HV of claim 61 identified as a herpes simplex virus (HSV).

69. (New) The rHSV of claim 61 which is a recombinant HSV-1 strain 1802 wherein the expression vector is inserted into a unique *XbaI* restriction site in HSV-1 strain 1802 .

70. (New) A process for preparing the recombinant herpes virus (rHV) of claim 61 comprising the steps:

preparing a vector that includes an adeno-associated virus (AAV) *rep* and an AAV *cap* gene each operably linked to an expression control sequence; and

inserting said vector into the genome of a herpes virus (HV)

wherein the vector is integrated into the genome of the HVH without reversion to wild-type HV under replication conditions as determined by a plaque assay.

71. (New) The process of claim 70, wherein the *rep* and *cap* genes are integrated into the HV genome by restriction cleavage/ligation or by homologous recombination.

72. (New) A composition comprising the recombinant herpes virus of claim 61 and a suitable medium to maintain viability of the virus.

73. (New) The process of claim 70 wherein the rHV further comprises a selected heterologous gene of interest operably linked to a promoter comprised within the expression vector.

74. (New) The process of claim 73 wherein the heterologous gene of interest encodes a therapeutically active polypeptide.

75. (New) The process of claim 73 wherein the host cell is a mammalian cell.

76. (New) The process of claim 75 wherein the mammalian cell is selected from the group consisting of HeLa, BHK21 and Vero cells.

77. (New) A viral composition which comprises the rHV of claim 61.

78. (New) A host cell transformed with the rHV of claim 61.

79. (New) The host cell of claim 78 wherein the host cell is selected from the group consisitn of HeLa, BHK21 and Vero cells.